

Customer No.: 31561  
Docket No.: 22778-US-PA  
Application No.: 10/688,625

### **REMARKS**

Applicant appreciates that claims 6-7 and 9-11 are considered to be allowable.

In FINAL (and ADVISORY) Office Action, claims 1, 4-5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan et al. (U. S. Patent 6,624,945; hereinafter Fan). Applicant has amended independent claim 1. After entry of the amendments, claims 1 and 4-11 remain pending in the present application, and reconsideration of those claims is respectfully requested.

### **Discussion of Claim Rejections under 35 USC 102**

Claims 1, 4-5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Fan. Applicant respectfully traverses the rejections for at least the reasons set forth below.

1. In the present invention, the dielectric structure with multiple dielectric units is to permit transmission of said secondary light therethrough, and substantially total reflection of the remainder of said primary light back to said wavelength-converting member. It should be noted that *the primary light in wavelength is shorter than the secondary light.*

In other words, the polarizations of the light in TE polarization and TM polarization are not necessary to be strictly considered to obtain equal in polarization state.

2. In re Fan, the Office Action has considered the extra layer regions 1104, 1106 to be added to the dielectric layers (602 and 604) to have at three dielectric layers as claimed in independent claim 1. The Office Action therefore rejects the present invention.

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Applicant respectfully disagrees.

It should be noted that the extra layer regions 1104, 1106 are used to make the quality factor of TE and TM modes equal (col. 5, lines 35-37). As a result, the polarization independent filter at a high incident angle can be possibly made (col. 5, lines 49-51). *Even if the quality factors of TE and TM are equal, the wavelengths of the TE and TM lights may still be the same. In other words, the extra layer regions 1104, 1106 is not used to have the property of transmitting the secondary light and reflect the primary light, based on wavelength.* Therefore, the extra layer regions 1104, 1106 are not in use for the function of the dielectric units of the present invention. The addition of extra layer regions 1104, 1106 to the dielectric layer 602 and 604 does not produce the further improvement of the transmission and reflection features, based on wavelength, as recited in independent claim 1.

In addition, as stated by Fan (col. 4, lines 57-59), the embodiment in Fig. 6 has large polarization dependency. The Embodiment in Fig. 11 of Fan, using the extra layer regions 1104, 1106, is to further reduce the polarization dependency. The extra layer regions 1104, 1106 are in different function from the claimed dielectric unit of the present invention. The extra layer regions 1104, 1106 do not modify the dielectric layer 602 and 604 in considering for transmitting the secondary light while reflecting the primary light as recited in independent claim 1.

For at least the foregoing reasons, Applicant respectfully submits that independent

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claim 1 patently define over the prior art, and should be allowed. For at least the same reasons, dependent claims 4-11 patently define over the prior art as well.

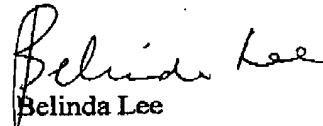
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### CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1 and 4-11 of the invention patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

  
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